

EXPRESS MAIL LABEL NO. 27259166US
DATE: September 23, 2005

1C06 Rec'd PCT 10 23 SEP 2005

14/5

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER REGIM 3.3-040
INTERNATIONAL APPLICATION NO. PCT/FR03/01197	INTERNATIONAL FILING DATE 15 April 2003	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,565
		PRIORITY DATE CLAIMED 17 April 2002

TITLE OF INVENTION
METHOD FOR PRODUCTION OF A TUNABLE OPTICAL FILTER

APPLICANT(S) FOR DO/EO/US

Alain Mugnier, Rachelle Leroux, Philippe Yvernault, and David Pureur
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.

2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.

3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. The US has been elected (Article 31).

5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))

a. is attached hereto (required only if not communicated by the International Bureau).

b. has been communicated by the International Bureau.

c. is not required, as the application was filed in the United States Receiving Office (RO/US).

6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

a. is attached hereto.

b. has been previously submitted under 35 U.S.C. 154(d)(4).

7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

a. are attached hereto (required only if not communicated by the International Bureau).

b. have been communicated by the International Bureau.

c. have not been made; however, the time limit for making such amendments has NOT expired.

d. have not been made and will not be made.

8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Executed)

10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. W/SB-08, 10 references

12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. A preliminary amendment.

14. An Application Data Sheet under 37 CFR 1.76.

15. A substitute specification.

16. A power of attorney and/or change of address letter.

17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.

18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

U. S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,565	INTERNATIONAL APPLICATION NO. PCT/FR03/01197	ATTORNEY'S DOCKET NUMBER REGIM 3.3-040
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20. Other items or information: Copy of Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO.EO.US), Petition Under 37 C.F.R. 1.47 (a) of David Pureur, Petition For Extension Of Time (4 mo.), Return Receipt Postcard

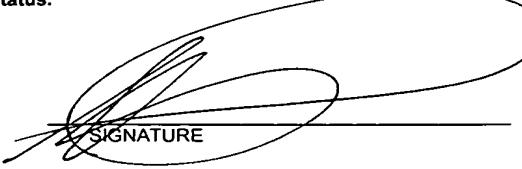
The following fees have been submitted				CALCULATIONS	PTO USEONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0 All other situations \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$	
TOTAL OF 21, 22 and 23 =				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x		
Independent claims	- 3 =		x		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)					
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				65.00	
				SUBTOTAL =	\$ 65.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	130.00
				TOTAL NATIONAL FEE =	\$ 195.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
				TOTAL FEES ENCLOSED =	\$ 195.00
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 12-1095 in the amount of \$ 195.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:


SIGNATURE

Orville R. Cockings

NAME

CUSTOMER NUMBER: 000530

42,424

REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,565	Alain Mugnier	REGIM 3.3-040

000530
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

Re
23 MY 2005
Coll

INTERNATIONAL APPLICATION NO.	
PCT/FR03/01197	
04/15/2003	04/17/2002

CONFIRMATION NO. 4434
371 FORMALITIES LETTER
OC000000015522197
OC000000015522197

Date Mailed: 03/23/2005
CM

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/15/2004
- Copy of the International Search Report filed on 10/15/2004
- Copy of IPE Report filed on 10/15/2004
- Request for Immediate Examination filed on 10/15/2004
- Copy of references cited in ISR filed on 10/15/2004
- U.S. Basic National Fees filed on 10/15/2004
- Priority Documents filed on 10/15/2004

EDKME
MAR 28 2005

RECEIVED

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$195** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,565	PCT/FR03/01197	REGIM 3.3-040

FORM PCT/DO/EO/905 (371 Formalities Notice)